IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.28618 of 2008
RAJENDRA MUSHAR & ANR
Versus
STATE OF BIHAR
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02. 25.09.2008 Heard learned counsel for the petitioners and learned APP for the State.

Petitioners are in custody since 6th of November, 2007 in relation to Itarhi P S Case No. 6 of 2007 under sections 25 (1-b) and 26 of the Arms Act. Primary submission of the petitioners is that looking at the period the petitioners have spent in custody and punishment which may befall on them, if the prosecution succeeds, they deserve some leniency by being enlarged on bail, atleast now.

As the petitioners have been in custody since November, 2007 for recovery of two arms from their house, let petitioners **Rajendra Mushar and Surendar Mushhar alias Sonaru Mushhar** be enlarged on bail on furnishing bail bonds of Rs.20,000/- each with two sureties of the like amount each to the satisfaction of Sri Sanjay Kumar Sanjay, Judicial Magistrate, Ist Class, Buxar, in Itarhi P S Case No. 6 of 2007 (G R No. 7/2007, Tr. No. 3429/2007) with a direction that the petitioners shall appear either in persons or through their counsel on each and every date which may be fixed by the trial court in this regard. Any breach thereof will entitle the trial court to consider cancelling the bail of these petitioners.

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rkp **(Ajay Kumar Tripathi, J)**